The Honorable James Inhofe 205 Russell Senate Office Building Washington, D.C. 20510

The Honorable Adam Smith 2264 Rayburn House Office Building Washington, D.C. 20515 The Honorable Jack Reed 728 Hart Senate Office Building Washington, D.C. 20510

The Honorable Mac Thornberry 2208 Rayburn House Office Building Washington, D.C. 20515

Dear Chairmen Inhofe and Smith and Ranking Members Reed and Thornberry:

As a diverse group of organizations working to safeguard and strengthen our democratic institutions, we urge you to retain three amendments that were included in the Fiscal Year (FY) 2021 National Defense Authorization Act (NDAA): Sen. Tim Kaine's amendment (Section 1044 of S. 4049), adopted by voice in committee; Rep. Veronica Escobar's amendment (Section 1052 of H.R. 6395), adopted on the House floor; and Rep. Mikie Sherrill's amendment (Section 513 of H.R. 6395), adopted in committee. We appreciate that your Committee works to ensure each year's NDAA is a bipartisan exercise, and we believe that these amendments merit inclusion in the FY 2021 NDAA.

All three amendments protect the rights of Americans by ensuring that there are appropriate checks in place in a domestic deployment of U.S. military or state National Guard forces.

Sen. Kaine's amendment, adopted by voice in the Senate Armed Services Committee, would ensure that no NDAA funds can be used to infringe the rights to peaceably assemble or petition, which are vital components of protest and enshrined in the First Amendment.

Rep. Escobar's amendment to the Insurrection Act, adopted by the House of Representatives in a floor vote, would place a time limit on any deployment of troops under the Insurrection Act absent congressional approval of the deployment; prohibit the use of troops for law enforcement purposes unless otherwise authorized by law; and provide additional administrative and judicial checks.

Rep. Sherrill's amendment to 32 U.S.C. § 502(f), adopted by the House Armed Services Committee, would require that the governor of a target state approve any deployment of another state's National Guard into the target state.

We urge you to protect the rights of Americans by retaining these amendments in any NDAA conference report.

Sincerely,

Advocacy for Principled Action in Government Bend the Arc: Jewish Action Brennan Center for Justice Bridges Faith Initiative Center for International Policy Center for Media and Democracy Center for Victims of Torture Climate Defense Project Common Cause Defending Rights & Dissent Delaware Riverkeeper Network **Demand Progress** Democracy 21 Friends Committee on National Legislation Government Accountability Project Government Information Watch Greenpeace USA Human Rights First International Corporate Accountability Roundtable League of Technical Voters Mainers for Accountable Leadership National Coalition Against Censorship Open the Government People For the American Way Project On Government Oversight Protect Democracy Public Citizen **R** Street Institute Restore the Fourth **Revolving Door Project** Stand Up Republic X-Lab Sarah Chayes, former special assistant to the chairman of the Joint Chiefs of Staff Joshua L. Dratel, Dratel & Lewis

CC: The Honorable Tim Kaine, Veronica Escobar, Mikie Sherrill